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09/965,004	09/27/2001	Susann Marie Keohane	AUS920010878US1	2732

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Mr. Volel Emile
P.O. Box 202170
Austin, TX 78720-2170

EXAMINER

PESIN, BORIS M

ART UNIT	PAPER NUMBER
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2174

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Please find below and/or attached an Office communication concerning this application or proceeding.

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**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Application Number: 09/965,004
Filing Date: September 27, 2001
Appellant(s): KEOHANE ET AL.

Keohane
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed 02/23/2005.

(1) *Real Party in Interest*

A statement identifying the real party in interest is contained in the brief.

(2) *Related Appeals and Interferences*

The brief does contains a statement identifying that there are no related appeals and interferences which will directly affect or be directly affected by or have a bearing on the decision in the pending appeal is contained in the brief.

(3) *Status of Claims*

The statement of the status of the claims contained in the brief is correct.

(4) *Status of Amendments After Final*

No amendment after final has been filed.

(5) *Summary of Invention*

The summary of invention contained in the brief is correct.

(6) *Issues*

The appellant's statement of the issues in the brief is correct.

(7) *Grouping of Claims*

Appellant's brief includes a statement that claims 1-20 stand or fall together.

(8) *Claims Appealed*

The copy of the appealed claims contained in the Appendix to the brief is correct.

(9) *Grounds of Rejection to be reviewed on Appeal*

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The Applicant has correctly pointed out the Ground of Rejection under the Heading "Issues".

(9) Prior Art of Record

6675162	Russell-Fala et al.	1-2004
6052718	Gifford	04-2000
University of Maryland's	NA	2/29/2000
Web Page		

(10) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claim Rejections - 35 USC § 102

Claims 1, 6, 11, and 16 are rejected under 35 U.S.C. 102(e) as being anticipated by Russell-Falla et al. (US 6675162).

In regards to claim 1, Russell-Falla teaches a method for a web browser to display a home page upon activation comprising the steps of: determining whether a default home page is presently accessible; accessing the default home page if the

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default home page is determined to be presently accessible or an alternate home page if the default home page is not determined to be presently accessible to download data representing the default home page or the alternate homepage, respectively; and displaying the respective downloaded data. (i.e. "If the rating of the present page exceeds the applicable threshold or range of values for the current user, a control signal shown at path 62 controls a gate 64 so as to prevent the present page [i.e. home page] from being displayed at the browser display 52. Optionally, an alternative or substitute page 66 can be displayed to the user in lieu of the downloaded web page. The alternative web page can be a single, fixed page of content stored in the software." Column 6, Line 3).

Claims 6, 11, and 16 are in the same context as claim 1; therefore they are rejected under similar rationale.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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Claims 2, 3, 7, 8, 12, 13, 17, and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Russell-Falla et al. (US 6675162) in view of University of Maryland's Web Page.

In regards to claim 2, Russell-Falla teaches all the limitations of claim 1. He does not teach a method wherein said determining step includes the step of using a scheduler. The University of Maryland's web page includes a scheduler showing when the web page is accessible (See Figure 1, Element 1). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Russell-Falla with the teachings of the University of Maryland's Web Page and include a scheduler of when it is possible to access the web page with the motivation to limit access to the web page and provide for better maintenance and upkeep of the student database.

In regards to claim 3, Russell-Falla and University of Maryland teach all the limitations of claim 2. The University of Maryland's Web page further teaches a method wherein said scheduler includes time and day that said default home page is accessible (See Figure 1, Element 1).

Claims 7, 12, and 17 are in the same context as claim 2; therefore they are rejected under similar rationale.

Claims 8, 13, and 18 are in the same context as claim 3; therefore they are rejected under similar rationale.

Claims 4, 5, 9, 10, 14, 15, 19, and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Russell-Falla et al. (US 6675162) in view of Gifford (US 6052718).

In regards to claim 4, Russell-Falla teaches all the limitations of claim 1. He does not teach a method wherein said determining step includes comparing IP address of a computer system displaying the home page with IP address of a computer system hosting the default home page to determine whether the two computer systems are within the same network. Gifford teaches, "A net mask (sometimes called a subnet mask) specifies which portions of an IP address contain network and subnetwork identifiers and thus should be matched to a second IP address to determine whether the two addresses are on the same network." Column 4, Line 50. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Russell-Falla with the teachings of Gifford and include a method of determining whether or not the two IP addresses are on the same network with the motivation to provide for a more secure environment.

In regards to claim 5, Russell-Falla and Gifford teach all the limitations of claim 4. Russell-Falla does not teach a method wherein if the two computer systems are within the same network, the default home page is determined to be presently accessible and if they are not within the same network, the default home page is determined to be presently inaccessible. Gifford teaches, "In this way the operator of a server can ensure that the server serves its intended audience, for example by adding intranet network

numbers that cannot be seen from outside the intranet's firewall." Column 6, Line 32).

The firewall is able to block access from the outside to the intranet sites.

Claims 9, 14, and 19 are in the same context as claim 4; therefore they are rejected under similar rationale.

Claims 10, 15, and 20 are in the same context as claim 5; therefore they are rejected under similar rationale.

(11) *Response to Argument*

The applicant argues:

a. Russel-Falla et al. do not teach, show or so much as suggest determining whether a default home page is accessible and displaying the default home page if the default home page is accessible or an alternate home page if the default home page is not accessible.

In regards to argument (a), the Examiner disagrees with the applicant that Russell-Falla et al. do not teach, show or so much as suggest determining whether a default home page is accessible and displaying the default home page is the default home page is accessible or an alternate home page if the default home page is not accessible. The applicant admits that Russell-Falla et al. teaches a method of determining whether to display the content of a web page that has been accessed.

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Therefore, if Russell-Falla determines not to display the web page, he is in fact limiting access to the page because accessibility at the server level is not the main issue; the main thing that determines accessibility is whether the user can view the page. If the user can't see the page because it is blocked, for all practical purposes, the web page is not accessible, and hence a different page is shown.

For the above reasons, it is believed that the rejections should be sustained.


Respectfully submitted,

Boris Pesin
May 16, 2005

Conferees
Kristine Kincaid
Joseph Feild



Mr. Volel Emile
P.O. Box 202170
Austin, TX 78720-2170


KRISTINE KINCAID
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100